The following is an email sent to former FCC Chairman Martin pertaining to a previous action of the FCC on this topic in 2007, emphasizing a la carte programming models are long overdue in the cable and satellite industry.
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Chairman Martin,

While I was disappointed to learn of the Commission's recent decision to table any revision to its controls on the cable industry's practices affecting the bundling of channels in product offerings, the issue has in the past week become very real for a portion of the population in central New Jersey.

Comcast has decided to eliminate the "Value Pac level of service," effectively a bundle of channels including Discovery Channel, American Movie Classics, Fox News Channel, Sci-Fi Channel, TNT and Cartoon Network, as of January 1, 2008. This in combination with the "Limited Basic Service" has served my family well over the course of the past seven years in New Jersey, as it best fits both our budget and our viewing habits. In its stead, Comcast will be moving the channels covered by the "Value Pac" to its "Expanded Service," which costs more than twice what we currently pay for cable service. While I'm sure that the value of the Expanded Service may be enhanced in many eyes, it is unclear that those who are forced to make the determination at this time will necessarily recognize that value. From my family's perspective, there is no additional value, only unwarranted additional costs.

While not wanting to deny any broadcaster or demographic of the population the ability to generate TV content that the market is interested in consuming, we have been paying for more than 10% of our bundled channels that broadcast in languages we don't speak. With the realignment of Comcast's offerings, I would expect that proportion of non-relevant channels to remain, if not increase, were we to remain Comcast customers. While I would always encourage minority interests in the consumer media marketplace, government mandates that have the effect of forcing the cable industry, whether directly or indirectly through contrived business practices of the cable industry, to provision its product so that consumers purchase content of no relevant value along with pertinent content, is completely inappropriate and stifles what the industry could gain from allowing the market to determine what it considers valuable. The minority interests arguing to continue the current practices should be willing to recognize that the growing minority population should be able to help drive the rise of programming specifically targeting minority markets in a cafeteria style selection of programming offerings, and not depend on artificial support through current packaging practices. The cable industry has the benefit of monopolized regional coverage (even in the most densely populated state in the country,) that it no longer needs the benefit of government guidelines that work in its favor to effectively subsidize the distribution of its content. Free selection of programming options is an idea whose time has come in a very sophisticated market.

The percent of the US that is reached by the cable industry, which I believe was the trigger to recent debate regarding cable industry guidelines, should no longer be the determining factor in any realignment of government regulations with the cable marketplace. My suspicions are that when those guidelines were enacted, satellite TV was not a viable complementary marketplace, so the less dense regions of the country were seen as only being potentially served by land-based cable services. That presumption is grossly inaccurate now, as tens of millions of people are served across the US by satellite TV services, many I presume because of the lack of cable service availability. Ironically, in New Jersey, as the most densely populated state in the country, the population of satellite dishes appears to be increasing as many customers have found satellite services to be packaged in a more relevant fashion to their tastes, including those clients of international cultures and languages, if not just more economical. My family is about to become a part of that demographic.

Finally, while the telecom industry has an age-old practice of "cramming," according to FCC documents from the late 1990s of adding hidden charges on bills, I would like to object to the billing practice Comcast has followed in announcing their programming changes. While the "Value pac" is being eliminated January 1, 2008, I am being billed for it through January 11, 2008. Their billing support staff resigned themselves to stating that was "just the way it is," and suggested a refund or credit would be due after I pay the bill. This tactic smarts of an illegal billing process whereby the business, knowing of impending reductions in charges, does not adjust their billing accordingly, collects on the inappropriately aligned bills, and does whatever it wishes with the client funds for the period of time until a refund or credit is garnered, perhaps only at the direction of the client.

All of these issues, the manipulative programming practices of the cable industry in a monopolized marketplace, the inability of consumers to select programming according their own determination of value and not the industry's, and the cable industry's, or at least Comcast's manipulation of billing practices to financially benefit themselves at the cost of the consumer, should be of grave concern to the FCC in governing our country's mass media. If your organization is unable to respond to such issues, we are left to the devices of those who through their monopoly of a given portion of the market, are able to dictate the terms of provisioning a very popular consumer product.

I would be happy to speak with anyone affiliated with your Commission regarding not just our circumstances, but the actions of the Commission in response to contemporary cable industry practices.